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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

July 7, 1995

REPLY TO THE ATTENTION OF

VIA FAX THEN
U.S. MAIL

Joseph G. Nassif
Coburn & Croft
Suite 2900
One Mercantile Center
Saint Louis, Missouri 63101
FAX (314) 621-2989

EPA Region 5 Records Ctr.



247028

RE: Standard Scrap Metal/Chicago International Exporting
Site, Chicago, Illinois
Unilateral Administrative Order Docket No. V-W-95-C-283

Dear Mr. Nassif:

As we've discussed on several occasions, and indicated in previous correspondence, Respondents to the above referenced Unilateral Administrative Order ("UAO") are currently out of compliance as set forth below:

1) Section V., Order Part 3, Work to be Performed (a): Respondents have failed to cease operations which cause a release or threat of release of hazardous substances into the air and onto the surface from shredding operations. Respondents have failed to install and operate adequate dust emission control equipment to ensure that no releases of hazardous substances will occur.

2) Section V., Order, Work to be Performed (b) and (c): Respondents have failed to sample each waste stream from the metal shredding and separating processes, including, without limitation, scrap steel, copper fines, fluff, dust and cyclone separator discharge according to the approved sampling plan. Respondents have also failed to conduct air sampling for PCBs.

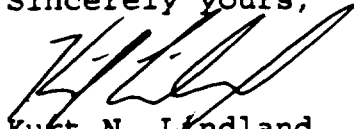
Contrary to your representations to me on July 5, 1995, that the metal shredding operation is not being operated and will not be operated the rest of this week, U.S. EPA has learned that, in fact, the shredder has been in operation this week. You assured me that sampling of waste streams could not be implemented only because the shredder could not be operated. Apparently, sampling has not been conducted because Respondents have failed to compensate the consultants they hired to conduct the sampling. Failure to pay their consultant does not constitute sufficient

cause to not comply with an order issued under Section 106 of CERCLA.

The approved sampling plan must be implemented beginning Monday, July 10, 1995. U.S EPA is prepared to recommend enforcement of its UAO if such sampling does not commence during shredding or separating operations on that date. As a reminder, Respondents failure to comply with an order issued under Section 106 of CERCLA may subject them to civil penalties of not more than \$25,000 per day for each day of violation. EPA may also seek injunctive relief under CERCLA Section 106.

Please do not hesitate to call me at (312) 886-6831 if you have any questions regarding this matter.

Sincerely yours,



Kurt N. Lindland
Assistant Regional Counsel

cc: Sam Brooks
Assistant United States Attorney
United States Attorney's Office
Northern District of Illinois

TRANSMIT CONFIRMATION REPORT

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